

REMARKS/ARGUMENTS

In response to the Office Action of September 8, 2004, which indicated that Claims 5-8 and 13-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, Claims 5, 6, 13 and 14 have been amended hereinabove into independent form incorporating the base claims and intervening claims. Therefore, it is respectfully submitted that Claims 5, 6, 13 and 14 and their dependent Claims 7, 8, 15 and 16 are now in proper form for allowance.

Rejected independent Claims 1 and 9 have been amended to recite a wetting liquor supply disposed below the second roller, with the second roller dipping into the wetting liquor supply for travel of the yarn sheet around the second roller and through the wetting liquor supply, and with the first squeezing gap being disposed before the yarn sheet as it travels around the second roller and through the wetting liquor supply.

It is respectfully submitted that these amendments emphasize the patentable distinction of the rejected claims over the cited prior art.

To avoid any possible ambiguity regarding the meaning of the term "pre-wetting," which was intended to mean wetting prior to application of sizing, but could possibly be interpreted to mean a liquor applied prior to wetting, the claims have been amended to delete the prefix "pre-" so that there can be no ambiguity. It is now clear that the wetting is prior to application of sizing.

In the rejection of Claims 1, 3, 4, 9 and 11-12 the Office Action combines the German '962 patent and the Cohn U.S. '616 patent. However, it is respectfully submitted that the Cohn patent does not, in combination with the German '962 patent, disclose, suggest or render obvious the subject matter of these rejected claims as now amended.

Cohn relates to a method and an apparatus for treating tubular knitted fabrics. Such a moistened fabric to be treated first passes upwardly through an extracting nip to ensure a uniform desired moisture content, then passes over a roller on top of which is a reservoir with treating liquid and then passes through a padding nip to adjust the treating liquid content. The pressure of the padding nip is less by a predetermined amount than that applied at the extracting nip (Column 2, lines 12-15).

As a result the extracting nip would correspond to a wetting agent squeezer, placed between wetting means and a sizing compartment, the reservoir would correspond to a sizing compartment and the padding nip would correspond to a sizing squeezer. The pressures of the two nips of Cohn are fixed. There is no possibility that the two nips of Cohn work as a draw-in unit, to regulate the yarn tension.

By treating such a fabric it is essential to predetermine a uniform width of the fabric and to keep this width during the treating. To ensure this width Cohn teaches to arrange treating rollers by which the fabric is worked during passing through the reservoir (Figure 5, column 1, lines 40-70).

This use of supplementary treating rollers ensures the right form of the knitted fabric. The arrangement is not used as a draw-in unit multifunctional as a wetting means and as a wetting agent squeezer.

The extracting nip of Cohn is formed by a pair of rollers. One of these rollers also constitutes the bottom wall of the reservoir with treating liquid and further forms the padding nip with a third roller. In contrast, the rejected claims of the present application as now amended differ from the arrangement of rollers of Cohn. The second roller of the rejected claims dips into a wetting agent supply. This enables a long and variable treating path of the yarn sheet along the surface of the second roller through the wetting agent supply. The

variability could be reached e.g. in differing the level of the wetting liquor. Due to the long and variable treating path of the yarn sheet the penetration of yarn can be optimal and adjustable.

Amended Claims 2 and 10 recite an additional supply of wetting liquor located prior to the first squeezing gap in the gusset above the first squeezing gap. There is no such disclosure or suggestion of this combination of two supplies in Cohn.

With respect to the vertical arrangement of the second and third rollers recited in Claims 3 and 11, the arrangement of the second and third rollers 16, 17 of Cohn are arranged in an angle of circa 45° and not generally vertically above each other.

With regard to the rejection of Claims 1, 2, 9 and 10 based on German '962 and Dungler U.S. '625, the arrangement of the rollers of Dungler is similar to that of Cohn and differs from that of the presently rejected claims for the same reasons. The second roller of Dungler does not dip into a wetting agent supply. Thus, the arguments distinguishing Cohn apply as well to Dungler.

For the foregoing reasons, it is respectfully submitted that rejected Claims 1-4 and 9-12 patentably distinguish over the prior art relied on in the Office Action and are allowable along with previously indicated allowable Claims 5-8 and 13-16. Therefore, reconsideration and allowance of the claims are respectfully requested.